Application Number	Application/Co	R€		under					
Document Code - DISQ		Internal Do	cument – DO NOT MAIL						
TERMINAL DISCLAIMER			☐ DISAPPROVED						
Date Filed : March 7, 2008	to a Te	t is subject erminal aimer							
Approved/Disapproved by:									
henry D. Jefferson									
•									

U.S. Patent and Trademark Office

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:		•	07-Apr-08	APPL. S. N:	108	329495				
To Exam	iner:		SHIVERS, ASHLEY	Art Unit	26:	19				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To Drop-Off Location	o: Case JEF	-2D68				
SUBJEC	<b>T:</b> Decisio	n on Terminal	Disclaimer(T.D.) filed:							
form par or have	agraphs id any quest	dentified by thi ions, please se	is informal memo in your e me or the Special Progi	the results as set forth below next Office action to notify a ram Examiner. THIS IS AN IN ED OF RECORD IN THE APPLI	pplicant of the T NFORMAL, INTER	.D. If you disag NAL MEMO ONL	ree Y.			
please in	nitial, date	and return thi	s memo to me. THANK Y	DU.		•				
<b>▽</b>	The T.D.	is PROPER and	d has been recorded (see	14.23).	. ,					
<u></u>	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):									
	The TD fee of ihas not been submitted nor is there any authorization in the application file for the									
	use of a deposit account  The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).									
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
	1 3 3	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
		The person who signed the T.D.:								
•		is not an attorney "of record" (see 14.29 and 14.29.01).								
	•	has failed to state his/her capacity to sign for the business entity (see 14.28).								
		is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).								
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
		The T.D. is not signed (see 14.26 & 14.26.03).								
The serial number of the application (or the number of the patent) which forms the basis for the patenting rejection is missing or incorrect (see 14.32).							uble			
	<u>i</u>	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).								
		Other:								
	f. i	Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.								
I have a	ppropriate			the Terminal Disclaimer filed	in this case.					
Ex.Initia	ls:	Date	::		· Lo	g Date:				
				•	,					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Taylor, et al.

Examiner:

Shivers, Ashley L.

Serial No.:

10/829,495

Group Art Unit:

2609

Filed:

April 22, 2004

Docket No.:

60027.0347US01/030290

Title:

METHOD AND SYSTEM FOR FAIL-SAFE RENAMING OF LOGICAL

CIRCUIT IDENTIFIERS FOR REROUTED LOGICAL CIRCUITS IN A DATA

**NETWORK** 

## TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

AT&T Delaware Intellectual Property, Inc., (formerly known as BellSouth Intellectual Property Corporation), a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at 824 Market Street, Suite 425, Wilmington, in the county of New Castle, and the state of Delaware represents that it is the owner of the entire right, title and interest in the instant application, U.S. Patent Application Serial No. 10/829,495, filed on April 22, 2004 and entitled "Method And System For Fail-Safe Renaming Of Logical Circuit Identifiers For Rerouted Logical Circuits In A Data Network" by virtue of assignment recorded at Reel 015258, Frame 0082.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending U.S. Patent Application No. 10/745,047, filed on December 23, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on U.S. Patent Application No. 10/745,047 may be shortened by any terminal disclaimer filed prior to the grant of any patent on pending U.S. Patent Application No. 10/745,047. The owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on U.S. Patent Application No. 10/745,047 are commonly owned. This

agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on U.S. Patent Application No. 10/745,047, "as the term of any patent granted on U.S. Patent Application No. 10/745,047 may be shortened by any terminal disclaimer filed prior to the grant of any patent on pending U.S. Patent Application No. 10/745,047," in the event that: any such patent: granted on pending U.S. Patent Application No. 10/745,047: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned, whose registration number is 47,299, is the attorney of record.

The Office is hereby authorized to charge the fee required by 37 C.F.R. § 1.20(d) to Deposit Account No. 13-2725. The Applicant does not claim status as a small entity.

Respectfully submitted,

MERCHANT & GOULD P.C.

Date: March 7, 2008

/Alton Hornsby III/ Alton Hornsby III Reg. No. 47,299

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (404) 954-5064

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